

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
January 18, 2010**

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN; KEITH R. LACASSE, SELECTMAN

**TOWN ADMINISTRATOR:** Naomi Bolton

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Tina Connor, Carl Knapp, Chief Begin, Ike Shepard, Neal Kurk, Chris Hague, Gregg Elwood, John Rauscher, Brenda Lashway, Janet Benson

**7:00 p.m. Chairman Clow called the meeting to order.**

**Public Hearing on the 2010 budget**

**Police Department** – Chief Begin said the proposed bottom line budget is \$1,284,525 and the default bottom line is \$1,200,115. Chief Begin said with the proposed budget he is trying to get some lines where they need to be - overtime line 140, cruiser maintenance line 660 and the armor line has gone up 100% because the cost of ammunition is up and they have to do their annual qualification. Chief Begin said they have a new Safety Complex and no one doing the custodial work (cleaning out air ducts, rugs and dusting).

Chairman Clow asked that if prior to a new officer going to the academy is there a time when they have to double up to ride with someone. Chief Begin said yes, for 12-14 weeks they are on field training. Chairman Clow said in looking at training costs, when an officer is in the academy for fourteen weeks, they have to cover the shift which is covered at time and a half; \$16,800 to cover the shift. Chairman Clow said every time they bring on an officer that is not trained it is a large cost, approximately \$30,000.

Chief Begin said the default budget is going to continue to make them a reactive Police Department and is keeping them from doing things they want to do and they have equipment that is not repaired because they do not have the money.

Mr. Shepard asked Chief Begin if he anticipates looking for any additional staff. Chief Begin said they are at full staff for full time, but he will be looking to add 2-3 more part timers. Full staff is eleven full timers, including the Chief. Chief Begin said with the part timers he tries to get them to work two shifts each, maybe three and add personnel to the 3-11 shift. Adding part timers helps to alleviate the overtime. They currently have two part timers. Chief Begin said they have the lieutenant, prosecutor, detective, school resource officer (not on patrol) and seven patrol officers. Chief Begin said they have not found a prosecutor that costs them less than the sergeant's police salary. The School Resource Officer works exclusively for John Stark.

Mr. Gregg Elwood asked about the overtime line, specifically traffic details that officers perform. He asked why the town does not have private people doing the details. Chairman Clow said the officers that are on detail are paid by the companies requesting the detail. Those companies are charged \$55.00 for the service of that patrolman plus \$10.00 per hour for the automobile. Those companies pay the town and the funds are put into a revolving fund, then the officers are paid from the fund. That company pays for the NH retirement as well; no funds come out of the town's budget for details.

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Chairman Clow commented that the two new rookies that were hired and went through field training for 12 weeks and the academy for 14 weeks cost the town \$60,000 while this training was taking place. Chief Begin said it takes so long to do the training that even if he hires two part timers tomorrow it will be Sept/Oct before they are ready to go. Mr. Elwood commented on only hiring rookies and asked about hiring officers that are already trained. Chief Begin said there are very few full time certified officers that want to come to Weare to work part time. Chairman Clow said the only way to add full time officers would be through a separate warrant article approved by the voters. Chief Begin said there is a need for full time officers, but he knows the economy is not good and he would not ask the town.

Vice Chairman Butt said there is enough money allocated from the details, from the vehicle usage charge of \$10.00 per hour, in the special fund to purchase a vehicle without a direct impact on the tax rate.

**Highway Department** – Mr. Carl Knapp said that the Highway budget is down, primarily because of the decrease in the cost of fuel and salt. Vice Chairman Butt said in 2009 the fuel default line was \$118,000, but as a result of the decrease in fuel costs only \$85,870 was spent. Vice Chairman Butt commented on the request of \$132,000 for fuel for 2010, based on \$2.75 per gallon. Mr. Knapp said they budgeted \$4.00 per gallon last year and actually spent around \$2.00 per gallon last year. The last fuel delivery was \$2.13 for unleaded. Mr. Shepard asked how fuel is purchased. Mr. Knapp said they bulk purchase from Weber Fuel, 3,000 gallons each purchase, there is no contract price. Mr. Knapp said that Highway uses 40,000 gallons of fuel; 98% of their equipment uses diesel.

*Line 681 Chipper* – Mr. Elwood commented that the chipper was covered by the operating budget, because the fuel cost was down. It was discussed that money from FEMA helped towards tax relief and is part of undesignated fund balance. Mr. Kurk said the FEMA money was reimbursement from money the town already spent. Mr. Kurk asked about what the Highway department does in the winter, other than snow removal, and asked if it is possible to hire out snow removal. Mr. Knapp said they have been chipping brush and repairing and maintaining vehicles owned by the town.

*Line 190* – Mr. Elwood asked what this line was used for. Mr. Knapp said the town allows employees to accumulate their time (bonus/vacation) and some employees drew out their time. Chairman Clow said some employees accumulate their vacation time and bonus time (for not using sick time) rather than take it. Chairman Clow said they are encouraging employees to take their time and are working on some changes in their policy to require employees to take their time rather than accrue it. Mrs. T. Connor said there is \$138,000 still on the books for vacation and bonus time. Chairman Clow said they had a warrant article that was passed two years ago that went into a fund that went towards paying this off. Chairman Clow said it is debatable if it should be part of the operating budget. Selectman Donison said they have a Capital Reserve Fund with a balance of \$22,000, used to pay out some of these expenses. Mrs. T. Connor said the decision of 2009 was to absorb it into the operating budget. Chairman Clow said they are working on a proposal that states an employee can't carry more than 1.5 times their earned vacation on the books; time earned already cannot be taken away.

**Transfer Station** – Mr. Knapp said there is a \$25,000 increase to get rid of the trash; the line could be reduced if residents were to recycle more. Mr. Knapp said the co-op was always set up that you had to pay on guaranteed tonnage and at the beginning of November you had to have a number for tonnage for the following year. The problem with that method was that you still paid that number even if you did not bring that much trash, but if you went over you paid what you went over. Mr. Knapp said now each community pays for what they bring there, which gives more incentive to keep things out of the trash. It cost \$71.00 a ton to get rid of the trash. Mr. Knapp said they recycle around 28%, which is good but he would like it to be 50%. Mr. Knapp said they are set up as well as can be for the facility that they have. The easier it is to recycle for the public, the more they will recycle. Mr. Knapp said Weare is the third largest town out of the thirty one in the area, and Weare is number fourteen on what they bring to the burner.

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Line 593 – This line is for hauling co mingle and scrap metal. Mr. Knapp said that things were not being charged to that line that should have been charged; that is why there is an increase. Mr. Knapp said there is a CIP request to purchase a used open top trailer, which will bring the cost of this line down.

**Water / Sewer** – Mr. Knapp said that the Sewer budget pays for itself. Most town buildings and some residents utilize the town sewer and are charged to cover the costs.

**Road Reconstruction and Household Hazardous Waste** – Mr. Knapp said that the tax impact will be less on road reconstruction due to the increase of the Highway Block Grant. Hazardous waste \$6,000 is for one collection day. Mr. Knapp mentioned teaming up with some other towns to save costs; most of the cost is the set up fees.

**Highway Truck and Equipment Fund, \$145,000** – replace 2001 pickup, money for a small plow truck, and money for equipment for plow truck. Mr. Knapp said they originally asked for \$125,000 to purchase a new truck, but they picked up an Osh Kosh with 32,000 miles this summer at surplus for \$4,000. Mr. Knapp said they had a request for a small truck last year that did not pass. He said that by picking up the truck this summer they saved about \$80,000 from moving equipment around. Vice Chairman Butt said it was a cost savings of about \$102,000.

**Tub grinder request** – Selectman Lacasse asked when it will become mandatory to grind and not burn. Mr. Knapp said in 2011 nothing can be burnt except tree branches. He said the problem is the ash, because it has to be treated as a solid waste, but as long as you don't burn construction debris it could be added to the compost pile. Chairman Clow said the Board is leaning towards putting this request off for another year. Mr. Knapp said any ash will be handled like a solid waste and treated as trash. Mr. Knapp said he asked about composting it and he did not get a favorable response. Mr. Shepard asked about chipping the brush. Mr. Knapp said the man hours would cost more than handling it as solid waste.

**Library Budget** – Chris Hague said the new 2010 proposed bottom line for the Library is \$183,551 and the default is \$174,194, because they took the raise off the bookkeeping expenses.

*Warrant Article 17* – Ms. Hague said the Library has a warrant article for extra help (15 hours a week at \$8.00 per hour) and to put their book budget back to \$12,000 which it always was. Ms. Hague said they are not doing things that other Libraries are doing because they can't afford to do them. They are also requesting 9 hours a year for maintenance and 2 hours weekly for cleaning. Mr. Kurk asked about the Library personnel wages. Ms. Hague said in the proposed budget there are 3% increases, based on evaluations. Mr. Kurk hopes that the Board would get the Library Trustees to agree to the Board's decision regarding wage increases. Ms. Hague said the statute spells out that the Trustees set the salaries. Ms. Hague said they do not have the accrual policy of the town, have no pay out for vacation unless it is within the year, they are not allowed to carry over their time (use it or lose it) and they have no longevity bonus.

Chairman Clow said they purchase their health insurance through LGC and each year they get an estimate on what the cost increase will be. Chairman Clow said that the Town Administrator contacted LGC for options and determined that a 16% increase option would require higher co-pays and greater deductibles for the employees, but a cost savings to the town. There is a lot of variable within the departments, some employees do a buyout for their insurance (which is a savings to the town, 50% of what the cost would be) single \$7,000 vs. family plan \$18,000.

**Animal Control** – There is an increase in wages because more hours are required.

Chairman Clow said there has been discussion amongst the Finance Committee regarding the difference between the 2009 default, the proposed 2010 budget which represents an increase of \$54,148.00 and the actual spent in 2009 compared to the adopted. There is a balance of \$141,146, which is money that is going back to increase the fund balance. Chairman Clow said the decision will be made next fall as to whether to use this

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money or not to offset taxes. Mrs. T. Connor said there was \$70,000 that was unanticipated revenue for 2009. There will be approximately \$200,000 going into the undesignated fund balance.

Mr. Kurk asked for the balance of the fund before this addition. Mr. Kurk said that DRA recommends a fund balance to keep on hand. Mrs. T. Connor said without this it was \$1.3 million. Chairman Clow said DRA gives a range of what the town should have on hand so they do not have to borrow and go out for a TAN (had to in the fall, not in the spring). Mr. Kurk said with the fund balance at the level it is it would be possible for the Selectmen to help offset the tax rate. Chairman Clow said it depends on what they see for revenues.

Mr. Kurk said the draft warrant shows \$940 million in assessed value. Mrs. Bolton said it was a 1% increase and the school used the same figure. Chairman Clow said last year they stayed flat. They are estimating that there will be \$10 million increase in assessed value from April to April; they know the amount in April. The assessment on April 1, 2009 was \$930 million. Mr. Kurk said Vice Chairman Butt commented on the tax rate being level at \$2.76 for two years. Vice Chairman Butt said it depends on what the voters approve on the warrant. Vice Chairman Butt said last year there was approximately \$500,000 on warrant and nothing was approved by the voter. Vice Chairman Butt said there is \$290,000 on the warrant this year that could affect the tax rate and he doesn't think they will have enough money in the fund balance to support keeping the tax rate flat if everything on the warrant passes. He said there are also variables are the revenue projections and they have to wait to know what the taxpayers approve. Chairman Clow said if everything was approved it would reflect an increase of \$.34 added to the \$2.34 which is less than the present day tax rate of \$2.76. Mr. Kurk said according to his calculations if everything was adopted it would bring them to \$2.95.

Mr. Kurk said the default budget tax impact would be \$2.18 and last year it went from \$2.27 to \$2.76 and he would like an explanation. Vice Chairman Butt said that the road reconstruction articles passed and there was a significant reduction in revenue. Vice Chairman Butt said they also had to pay the State of NH \$70,000 because the state overpaid the town for Everett Dam and they asked for the money back. Vice Chairman Butt said they lost revenue in vehicle registration and they are projecting \$100,000 less in revenue for 2010 for vehicle registration.

Mr. John Rauscher asked if there was a statute that states where municipalities can buy insurance; he mentioned that there could be a cost savings if the school and town purchased insurance together. Chairman Clow said he does not think there is a statute where to buy insurance, they town purchase workers compensation and liability insurance through Primex. Mr. Rauscher said he asked because there is bargaining powers in numbers and other organizations that offer insurance. Mr. Rauscher said they could possibly get better rates on fuel as well if they pool together with the schools. Chairman Clow said the whole insurance issue is very complicated. Chairman Clow believes that LGC and Primex can give a better rate (non profit). Vice Chairman Butt said at one point when he looked into the fuel, it depends on the vehicle delivering the fuel. Vice Chairman Butt said the school has a collective bargaining agreement and the Police Department has a different plan than other town employees; the new agreement has them on the same plan.

Brenda Lashway asked about the details of the police contract. Chairman Clow said they need the Finance Committee's support on the police contract. Chairman Clow said last Monday they signed a tentative agreement. Chairman Clow said that with Article there are balancing savings; \$13,918.64 actual cost of the increase for one year if this contract is approved. Chairman Clow said besides the pay scale there were other things that were included in the agreement. The police department agreed to go with the 16% increase with higher co-pays and deductibles to employees; this would keep them on the same plan as the town. Chairman Clow said Weare was paying triple time and a half for holiday pay, which was carried forward and they had to bargain it out. This bargaining agreement will save the town between \$10,000 and \$12,000 per year for holiday pay. Chairman Clow said by approving this contract the holiday pay will be fixed, if the contract is not approved it will not be fixed. Chairman Clow said they also have to hold on to employees because every time an officer leaves and they hire a rookie it costs them \$30,000.

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Mr. Kurk asked about the \$13,918.64. Chairman Clow said it says everyone is put on a salary step, it is a 9 step scale and on April 1 they will all go up one step. Mr. Kurk asked if the BOS was aware that for each year they will go up a step which will reflect a 3.5% each year. Chairman Clow said the tradeoff to that is holding on to the staff, he said the whole discussion was part of the negotiations. Chairman Clow said the need to get the overtime costs under control outweighs that clause.

Mr. Kurk said Weare can never compete with the pay scales from larger towns and will always lose officers to these larger communities. Chairman Clow said the insurance benefits in town are very good, pay 100% for all town employees' health benefits; that has a holding power. Mr. Kurk said that the police agreed to accept the town insurance and asked if it states whatever insurance that is given to the town employees. Chairman Clow said years in the future it could change.

Vice Chairman Butt said in the negotiations they capped the number of hours an officer could work per week. Vice Chairman Butt said the concern with the number of hours is a safety concern. Vice Chairman Butt said they settled on 90 total hours per week, officers cannot work more than 20 hours on a given day and they can't work two consecutive 20 hour days. Chairman Clow said there many weeks when hours worked were a safety concern.

Brenda Lashway asked for a copy of the detailed police contract. Chairman Clow said they can put it together; there is a tentative agreement that outlines the changes. Ms. Lashway wants the salaries and benefits that are included. Chairman Clow said if the contract does not pass, the overtime situation will remain, and there will be \$10,000 or more in additional overtime because of the holiday glitch. He said the insurance has to be settled through collective bargaining if the union is involved, they would have to go with the 27% increase in insurance for the whole town instead of the 16%. Chairman Clow said there would be nothing in place to control the total numbers of hours an officer could work each week.

Ms. Lashway asked when there would be a final version of the warrant articles. Chairman Clow said they have a serious issue with the Fire Department and daytime coverage. Mrs. Bolton said she has applied for a grant that could cover two years of the daytime services, which is not a permanent solution even if they get the grant. These articles will change the purpose of the Special Revenue Fund that would allow for the use of those funds to pay for EMT services and vehicle purchases. Chairman Clow said they feel the ambulance billing generates enough to pay for the daytime coverage. Mr. Kurk feels an affirmative statement about no tax impact would be beneficial. Chairman Clow said the Board was told last year they could only recommend Special Warrant Articles, that is not the case and they can put the estimated tax impact of an article on the warrant as well.

Vice Chairman Butt said that every time the ambulance goes out, the town bills the insurance company and gets reimbursed. Vice Chairman Butt said if the ambulance transports, then they bill the insurance company, approximately \$500 and these funds are put into the Special Revenue Fund; there is about \$300,000 in that fund and it can only be expended by a vote by the taxpayers. Vice Chairman Butt said we have a need for mutual aid 78 times a year, because we do not have enough coverage during the day. The Fire department feels if they have people available during the day then can gain \$30,000 in revenue. Vice Chairman Butt said they need to fund it because they don't have enough people available due to the fact that they work out of town. The SAFER grant would pay for two years with the town being responsible for the third year. In order to use the Special Revenue Fund the wording needs to be expanded to cover per diem.

Chairman Clow said in speaking with DRA, Mrs. Bolton received information, that in order to expend funds from a Special Revenue Fund it will require a warrant article every year. If they change it to a Revolving Fund it could be used continually to fund the EMTs and will not have to go to the taxpayers every year for approval to expend. DRA suggests making it a Revolving Fund. Vice Chairman Butt feels if it is going to be an annual expense, it should be in the operating budget.

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Chairman Clow said two EMTs during the day would be paid for by the ambulance fees, this concept would have no immediate tax impact. If they get the SAFER grant it would pay for the first two years. Vice Chairman Butt said he knows the question will come up as to what these EMTs will be doing when they are not out on calls.

Mr. Kurk asked if it requires a 2/3 vote to modify the purpose of a fund. Chairman Clow said for a Capital Reserve Fund it takes a 2/3 vote but for a Special Revenue Fund they need a majority vote.

Chairman Clow said by picking up all the daytime calls, it might add \$30,000 to the fund annually, but would not cover the cost. Chairman Clow said they are going to need to make vehicle purchases in the future.

Mr. Shepard mentioned other communities not wanting to respond to Weare. Chairman Clow said they don't believe that other communities would not respond for mutual aid. The problem is that Weare is costing other towns money, pulling them away from their communities and not generating revenue for them. Other towns will have to start to charge the Town of Weare. Weare is getting a large portion of services and not giving back. Chairman Clow said there was a presentation from 4-5 surrounding area Chiefs. Selectman Lacasse said they have a responsibility to support their own town. Chairman Clow said this should be part of their operating budget; they have tried with warrant articles twice, and it failed. Vice Chairman Butt said there are some things that should be included in the default budget; they are obligated to provide a certain level of service. If they can't provide services, they should start placing the money to provide those services in the default budget.

Mr. Kurk asked if it was possible to change the purpose of the fund and create the positions in one article. Chairman Clow said town council told them they need three different articles. Vice Chairman Butt said if the SAFER grant does not pass, they can't do the rest.

*Selectman Donison left the meeting at 10:25 p.m.*

## MANIFESTS

**Chairman Clow moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Interim Treasurer to sign checks dated January 21, 2010. Passed 4-0-0**

<b>Accounts payable</b>	<b>\$617,429.91</b>	(Weare District \$600,000)
<b>Gross Payrolls</b>	<b><u>\$44,790.98</u></b>	(Includes Spec. Detail, Taxes, Credit Union)
<b>Total</b>	<b>\$662,220.89</b>	

**Finalizing the 2010 Town Warrant** – Mrs. Bolton said Articles 2 through 5 have their recommendations.

It was discussed there was \$100,000 less in motor vehicle revenue for 2009.

*Article 14* – Chairman Clow said if the contract passes there is an absolute savings in holiday overtime of \$10,000 - \$12,000. There will be an explanation of this savings in the Town Mailer.

*Article 20* – Petitioned Article. Selectmen Lacasse said that Article 5, which is a petitioned article, was recommended by the Planning Board. Mrs. Bolton said the Planning Board has different guidelines then the Board of Selectmen. Mrs. Bolton said according to the RSA the Selectmen do not put forth a recommendation for a petitioned article.

Mrs. Bolton said she did take the article for the tub grinder off of the warrant. The Board agrees with leaving the tub grinder article off the warrant.

*Article 13* – Selectman Lacasse said he is advocating that they write the article without saying anything about the grant, just state to hire the per diem EMT and in the mailer explain that they are applying for the SAFER Grant. Selectman Lacasse hopes that when voters hear the town is leaning on other towns for support they will vote yes. Vice Chairman Butt said he does not like putting the grant on the warrant because the BOS can accept the grant without town vote. Vice Chairman Butt said if they change the Special Revenue Fund to a Revolving Fund they can fund the third year of EMTs. Selectman Lacasse would rather they add the EMTs and have them become part of the operating budget. Vice Chairman Butt feels getting that approved is a stretch. Vice Chairman Butt said the Fire Department wanted an option in case it failed.

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The Board said they need to discuss how to reach the taxpayers to inform them of the need for daytime coverage. Selectman Lacasse said it is a moral issue, they should not be depending on other towns to take care of them. It was discussed that the other towns will be charging Weare for mutual aid.

If they get the grant, the money will still collect in the Revolving Fund and be expended in the 3<sup>rd</sup> year. The Board of Selectmen will have to authorize the expenditure. Vice Chairman Butt said the 3<sup>rd</sup> year they will have to say the expense needs to be put in the operating budget.

**Chairman Clow moved, Selectman Osborne seconded to put Article 11 on the warrant as follows: *Shall the town rescind the provisions of RSA 31:95-c to restrict the revenues from ambulance charges to expenditures for the purpose of new vehicle replacement: To be replaced with the establishment of a Revolving Fund pursuant to RSA 31:95h for the purpose of vehicle replacement and the funding of per diem EMT/firefighters. All revenues received from ambulance billing services will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved balance.* Passed 3-1-0 Selectman Lacasse opposed.**

Vice Chairman Butt asked what happens to the money already in the fund, because it does not state where to move it to. Mrs. Bolton will find out what happens to the balance in the fund. Chairman Clow said it is possible that they may need to add a sentence to state where to move the funds.

**Chairman Clow moved, Selectman Lacasse seconded to remove Article 13 from the Warrant. Passed 4-0-0**

There are now 19 Articles on the 2010 Warrant.

**ADMINISTRATIVE REPORT** – Mrs. Bolton informed the Board that the Southern New Hampshire Planning Commission has invited up to three people from each town to be on the Metro Plan of New Hampshire Committee. Wendy Stevens, from the Agricultural Committee, would like to be the 3<sup>rd</sup> person. The Board will appoint her at their next meeting.

## CORRESPONDENCE

Chairman Clow said he received an email, from Chris Hague, stating that the School Board has giving permission to the Library to use a classroom for storage if needed for the repair work to be done at the Library. The email also said the Board of Selectmen had requested to meet with the Trustees. Chairman Clow said there was no request to meet with the Trustees from the BOS. Mrs. Bolton contact the Trustees for clarification.

**Chairman Clow moved, Vice Chairman Butt seconded to enter into non public session @ 11:35 p.m. pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

**Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 12:03 a.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

## ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary